

REMARKS

The application has been amended and is believed to be in condition for allowance.

Claims 1-40 are pending, claims 1, 2, and 27 being independent.

Claims 19, 21, and 22 stand rejected under §112, second paragraph, as indefinite.

The present amendments are believed to remedy the stated bases of rejection. Withdrawal of the rejection is solicited.

Claims 1-5, 9, 10, 21, 22, 25-30, 35, 37, 38, and 40 stand rejected as anticipated by SCHWARZ et al. 3,718,120.

Claims 6, 7, 11, 31 and 32 stand rejected as obvious over SCHWARZ et al.

Claims 8, 12-16, 19-20, 33, 34, 36, and 39 stand rejected as obvious over SCHWARZ et al. in view of HANSSON 5,979,359.

Claim 17 stands rejected as obvious over SCHWARZ et al. in view of MONTALESCOT et al. 4,867,103.

Claim 18 stands rejected as obvious over SCHWARZ et al. in view of HAMADA 6,107,937.

Claim 23 stands rejected as obvious over SCHWARZ et al. in view of YARNALL, Jr. et al. 5,808,551.

Claim 24 stands rejected as obvious over SCHWARTZ et al. in view of SCHULTE et al. 5,950,562.

The dependent claims are believed allowable at least for depending from an allowable independent claim.

Claim 4 recites a control means (16) provided between the controllable device (2, 22) and the communications port (24), the controllable device (2, 22) being automatically controlled by the control means (16). See that Figures 2-3 illustrate this embodiment where the control means is a local manual and automatic control means. The remote control device (28) recited in independent claims 1 and 2 provides "remote control" whereas the control means (16) of claim 4 provides "local control", each providing both automatic and manual modes of control. See also at least specification page 7-8 disclosing local control with user input means (16b). The local control may also provide automatic control of the controllable device (see first full paragraph of specification page 8) as recited in claim 4.

The Official Action reads control means provided between the controllable device and the communications port onto signal converter 210.

With reference to Figure 2, of SCHWARTZ et al., see that the signal converter is not located between the controllable device (fork lift 58) and any communications port of remote

control 32. See that the signal converters branch off of bus line 200 and are thus not "between...".

Further, the passage of column 5, lines 42-48 indicates that signals to transport means 28 are sent from data processor 220 via bus line 200. This is as illustrated and does not involve signal converter which sends signals to various motors within the system. See that claim 4 requires that the controllable device be automatically controlled by the control means (16). The signal converters do not automatically control transport means 28 (shown as fork lift 58 in Figure 2).

The same remarks hold true for claim 29, depending from claim 27.

The recitations based on original claim 4 and 29 have been incorporated into claims 1, 2, and 27. Claim 4 has been amended to include the recitations of claim 22, reciting the local manual control features of control means (16), including a local data input means for establishing local control. Method claim 35 is similar.

Claims 6, 7, and 29 have been amended to further clarify the invention's ability to both select remote automatic/manual control and local automatic/manual control. See specification page 4, lines 12-18.

Claim 22 has been clarified to recite that the data input means associated with the control means (16) is local to

the control means. This is novel and non-obvious over SCHWARZ et al.

The Official Action has rejected claims 6, 7, and 31 as obvious over SCHWARZ et al.

Applicant respectfully disagrees. However, it seems the claims have not been read as intended and therefore the claims have been amended, e.g., claim 29, to recite that the control of said controllable device is selectable between any of remote automatic control, remote manual control, local automatic control, and local manual control.

Having clarified the intended recitations of the invention, the claims are believed to be allowable.

Reconsideration and allowance of all the claims are respectfully requested. As conveyed by the undersigned attorney, an interview has been authorized in this case. Such interview is not believed to be necessary. If, however, the case is not considered to be in condition for allowance, it is requested that the undersigned attorney be contacted to arrange and conduct an in-person interview.

Applicant believes that the present application is in condition for allowance and an early indication of the same is respectfully requested.

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Reply to Office Action of December 2, 2003  
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The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

Respectfully submitted,

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